

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GARRETT THOMAS CLOUSE,

Plaintiff,

v.

AMADOR COUNTY JAIL MEDICAL, et
al.,

Defendants.

No. 2:23-cv-0671 DB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is a county inmate proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff claims that he received inadequate medical care while incarcerated at Amador County Jail in 2021.

By order dated October 12, the undersigned screened and dismissed the complaint and directed plaintiff to submit a certified copy of his inmate trust account statement. (ECF No. 9.) Plaintiff was granted thirty days leave to file an amended complaint and advised that failure to file an amended complaint would result in a recommendation that this action be dismissed. (Id.) Those thirty days have passed, and plaintiff has not filed an amended complaint, requested additional time to file an amended complaint, or otherwise responded to the court's order.

The court notes that plaintiff filed a notice of change of address on May 15, 2023, and thereafter mail was returned as undeliverable. However, records indicate that plaintiff is presently in the custody of Amador County.

1 See <https://acsd.crimegraphics.com/2013/default.aspx> (inmate locator website operated by the
2 Amador County Sheriff's Office). The court may take judicial notice of such information. See In
3 re Yahoo Mail Litig., 7 F. Supp. 3d 1016, 1024 (N.D. Cal. 2014) (a court may take judicial notice
4 of information on "publicly accessible websites" not subject to reasonable dispute); Louis v.
5 McCormick & Schmick Restaurant Corp., 460 F. Supp. 2d 1153, 1155 fn.4 (C.D. Cal. 2006)
6 (court may take judicial notice of state agency records). It is the plaintiff's responsibility to keep
7 the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of
8 documents at the record address of the party is fully effective. Accordingly, the undersigned will
9 recommend that this action be dismissed for failure to prosecute and failure to comply with court
10 orders.

11 For the reasons set forth above, the Clerk of the Court is ORDERED to:

- 12 1. Randomly assign this action to a United States District Judge; and
- 13 2. Serve a copy of this order on plaintiff at the Amador County Jail, 700 Court Street,
14 Jackson CA 95642.

15 IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See
16 E.D. Cal. Local Rule 110; Fed. R. Civ. P. 41(b).

17 These findings and recommendations are submitted to the United States District Judge
18 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one (21)
19 days after being served with these findings and recommendations, plaintiff may file written
20 objections with the court and serve a copy on all parties. Such a document should be captioned
21 "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that
22 failure to file objections within the specified time may waive the right to appeal the District
23 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

24 Dated: December 4, 2023

25
26 
27 DEBORAH BARNES
28 UNITED STATES MAGISTRATE JUDGE

DB:12
DB/DB Prisoner Inbox/Civil Rights/S/clou0671.scm